

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 07-332
)	[ELECTRONICALLY FILED]
MAX RAY BUTLER a/k/a)	
MAX RAY VISION)	

**POSITION OF THE GOVERNMENT
WITH RESPECT TO SENTENCING FACTORS**

AND NOW, comes the United States of America, by its attorneys, Robert S. Cessar, Acting United States Attorney for the Western District of Pennsylvania, and Luke E. Dembosky, Assistant United States Attorney for said district, and files the following Position of the United States with respect to the Presentence Report prepared in this case, and avers as follows:

1. The government received the Presentence Report for Max Ray Butler a/k/a Max Ray Vision, and conferred with Diane S. Restivo of the United States Probation Office and Michael Novara, Esquire, regarding the contents of the Presentence Report.

2. The government believes that Paragraph 56 of the Presentence Report should be modified to reflect a 30-year maximum penalty at each count of wire fraud, rather than 20 years, as numerous financial institutions were effected by the crimes of conviction. This statutory maximum is stipulated in the plea agreement. The counts of conviction would then be deemed Class B

felonies, rather than Class C. The government has no other objections, additions or modifications to the Presentence Report.

Respectfully submitted,

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